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LAWYERS

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2007

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13 Attorneys for USACM Liquidating Trust

7 **UNITED STATES BANKRUPTCY COURT**
8
9 **DISTRICT OF NEVADA**

10 In re:

11 USA COMMERCIAL MORTGAGE
12 COMPANY,

13 USA CAPITAL REALTY ADVISORS,
14 LLC,

15 USA CAPITAL DIVERSIFIED TRUST
16 DEED FUND, LLC,

17 USA CAPITAL FIRST TRUST DEED
18 FUND, LLC,

19 USA SECURITIES, LLC, Debtors.

20 **Affects:**

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**STIPULATION TO CONTINUE
HEARING ON MOTION FOR
SUMMARY JUDGMENT RE
DUTKIN'S CLAIM**

Date of Hearings: December 14, 2007
Time of Hearings: 9:30 a.m.

New Date of Hearings: December 20, 2007
Time of Hearings: 9:30 a.m.

22 USACM Liquidating Trust (the "USACM Trust"), by and through its counsel,
23 Lewis and Roca LLP, and John Dutkin, Trustee, by and through his counsel, George D.
24 Frame, Ldt., hereby stipulate:

25 1. John Dutkin, Trustee filed proof of claim No. 10725-01395 on November 9,
26 2006, in the amount of \$56,120.90.

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AN

ROCA
MR

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2. On March 20, 2007, the USACM Trust filed its Objection to John Dutkin's Claim (the "Objection") [DE 3147], which objected to the secured status of Claim No. 10725-2447-2.

3. On July 30, 2007, the USACM Trust filed its Motion for Summary Judgment [DE 4291], which seeks summary judgment on the Objection.

4. The Objection and Motion for Summary Judgment were scheduled for hearing on December 14, 2007.

5. Counsel for the USACM Trust asks that the hearing be continued to December 20, 2007 so that it can be heard with other claims related to the Motion for Summary Judgment [DE 4291] that are on the calendar for that date and to accommodate a medical issue that has arisen for counsel since the hearing was originally scheduled.

LEWIS AND ROCA LLP

By: /s/ RC (#6593)

Susan M. Freeman, AZ 4199 (*pro hac vice*)

Rob Charles, NV 6593

John Hinderaker, AZ 18024 (*pro hac vice*)

Counsel for USACM Liquidating Trust

-and-

GEORGE D. FRAME, Ldt.

By:

George D. Frame

Counsel for John Dutkin, Trustee

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Lewis and Roca LLP 12/4/2007 5:43 PM PAGE 3/005 Fax Server

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13 **LEWIS AND ROCA LLP**

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15 Susan M. Freeman, AZ 4199 (*pro hac vice*)
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17 John Hinderaker, AZ 18024 (*pro hac vice*)
18 Counsel for USACM Liquidating Trust

19 -and-

20 **GEORGE D. FRAME, Ltd.**

21 By: George D. Frame

22 George D. Frame
23 Counsel for John Dutkin, Trustee

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ROCA
_{LLP}

LAWYERS

1 PROOF OF SERVICE

2 Copy of the foregoing mailed by
First Class, US Mail, postage
3 prepaid, on December 5, 2007
to the following interested party:

4 George D. Frame, Esq.
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6 601 Greenway Road, Suite D
Henderson, NV 89002

7 /s/ Renee L. Creswell

8 Renee L. Creswell
Lewis and Roca LLP

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